# REMARKS

Claims 1-50 are currently pending in the application. In the Office Action dated September 6, 2007, claims 1-50 were rejected. By this Amendment, claims 1, 5-6, 8, 13, 17-18, 22, 35, 38, 40 and 45-50 have been amended, without acquiescence or prejudice to pursue the original claims in a related application. Claims 51-62 are new.

### Claim Rejections - 35 USC § 112

- Applicant thanks the Examiner for indicating insufficient antecedent basis. Claims 5, 6, 17 and 18 have been amended. Applicants respectfully request withdrawal of the rejections.
- Claim 38 and 40 recite the limitation "one or more indexes comprise an index".
   Without acquiescence to the stated reasons for the claim rejections, claims 38 and 40 have been amended and Applicants respectfully request withdrawal of the rejections.

#### Claim Objections

Claims 1, 13, 22, 35, and 45-50 are objected to because the claim limitations allegedly
do not specifically recite any manipulation and/or a transformation in the claim limitations
that would produce a tangible result. Without acquiescence to the stated reasons for the claim
rejections, independent claims have been amended and Applicants respectfully request
withdrawal of the rejections.

### Claim Rejections - 35 USC § 101

According to the Office Action, claims 45, 47 and 49 are rejected under 35 U.S.C.
 because the claims are allegedly directed toward non-statutory subject matter. Without acquiescence to the stated reason for rejection, independent claims 45, 47 and 49 have been amended. Thus, Applicants respectfully request that the rejections be withdrawn for independent claims 45, 47 and 49, and their respective dependent claims.

## CONCLUSION

Based on the foregoing, all claims are believed allowable, and an allowance of the claims is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

If the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. 50-4047, billing reference no. 7035852001.

Respectfully submitted,

Registration No.: 39,768

By:

Dated: December 5, 2007

Bingham McCutchen LLP Three Embarcadero Center San Francisco, CA 94111-4067 Telephone: (650) 849-4400

Telefax: (650) 849-4800